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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,592	02/23/2000	Bruce M. Dickens	2039-301	3314

7590 08/03/2010

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ART UNIT	PAPER NUMBER
2161	

MAIL DATE	DELIVERY MODE
08/03/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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AUG 02 2010

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*In re* DICKENS  
Reexamination Proceeding  
Control No. 90/005,628  
Request Deposited: February 6, 2000  
For: U.S. Patent No. 5,806,063

: DECISION  
: DISSOLVING MERGED  
: APPLICATION AND  
: REEXAMINATION  
: PROCEEDINGS

*In re* DICKENS  
Reexamination Proceeding  
Control No. 90/005,727  
Request Deposited: May 16, 2000  
For: U.S. Patent No. 5,806,063

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Art Unit: 3992

MAILED

AUG 02 2010

CENTRAL REEXAMINATION UNIT

*In re* DICKENS  
Reexamination Proceeding  
Control No. 90/006,541  
Request Deposited: February 2, 2004  
For: U.S. Patent No. 5,806,063

*In re* DICKENS  
Reexamination Proceeding  
Control No. 90/005,592  
Request Deposited: December 21, 1999  
For: U.S. Patent No. 5,806,063

*In re* Reissue Application of DICKENS  
Serial No. 09/512,592  
Filed: February 23, 2000  
For: U.S. Patent No. 5,806,063

In a decision mailed March 12, 2004, the instant reexamination proceedings and then copending reissue application No. 09/512,592 were *sua sponte* merged. Under section III, "Conduct of the Merged Reissue Application Examination and Reexamination Proceedings", paragraph No. 5, it was stated that if the application/patent owner fails to file a timely and appropriate response to any Office action, the merged proceeding will be terminated as follows: The reissue application will be held abandoned, and the merger will be dissolved as to the reissue application. With respect to the four reexamination proceedings that will remain merged as one proceeding, the Commissioner will proceed to issue a reexamination certificate under § 1.570 in accordance with the last action of the Office, unless further action is clearly needed as a result of the difference in rules relating to reexamination and reissue proceedings.

On June 11, 2010 a Notice of Abandonment was mailed by the Office in reissue application No. 09/512,592 for failure to timely and appropriately respond to the BPAI decision of March 29, 2010. Accordingly, in view of the abandonment of the reissue application and guidelines set forth in section III of the decision merging the reissue application with the four reexamination proceedings, the merger is hereby deemed dissolved.

Upon mailing of this decision, the reexamination proceedings will be forwarded to an examiner in the Central Reexamination Unit for the issuance of an appropriate action.

*Art Unit: 3992*

Any inquiry concerning this decision should be directed to Jessica Harrison, Supervisory Primary Examiner at telephone No. (571) 272-4449.

/J Harrison/

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Jessica J. Harrison  
Supervisory Patent Examiner, AU 3992  
Central Reexamination Unit